

## **POST COMMISSION MEETING**

**Courtyard Marriott Hotel  
1782 Tribute Road  
Sacramento, CA 95815  
(916) 929-7900**

**Thursday, January 22, 2009**

### **CALL TO ORDER - 10:00 A.M.**

Chair Deborah Linden will call the meeting to order.

### **COLOR GUARD AND FLAG SALUTE**

The Color Guard will be provided by the Sacramento Police Department.

### **MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING**

- Deputy Lawrence Canfield of the Sacramento County Sheriff's Department
- Deputy Randy Hamson of the Los Angeles County Sheriff's Department
- Officer Paul Sanders of the California Highway Patrol - Santa Fe Springs Area

### **ROLL CALL OF COMMISSION MEMBERS**

### **AUDIENCE INTRODUCTIONS**

Members of the audience will introduce themselves.

### **WELCOMING ADDRESS**

Chief Rick Braziel of the Sacramento Police Department will provide the welcoming address.

## **PUBLIC COMMENT**

Chair Deborah Linden will ask if anyone would like to make comments on any items on the agenda.

## **APPROVAL OF MINUTES**

- A. Approval of the minutes of the Thursday, October 23, 2008, Commission meeting held at the Burbank Marriott Hotel and Convention Center, Burbank, CA 91505.

## **CONSENT**

- B.1 Course Certification/Decertification Report

In approving the Consent Calendar, the Commission receives the report.

- B.2 POST Reimbursable Program New Agency - San Bernardino Community College District Police Department

The San Bernardino Community College Police Department is seeking entry into the POST Reimbursable Program.

- B.3 POST Reimbursable Program Withdrawn Agency - Huntington Beach Union High School District Police Department

The Huntington Beach Union High School District Police Department has withdrawn from the POST Reimbursable Program.

- B.4 POST Reimbursable Program Obsolete Agency - Blue Lake Police Department

The Blue Lake Police Department has disbanded and is no longer part of the POST Reimbursable Program.

- B.5 POST Reimbursable Program Merged Agencies - Compton CCD PD Merging Into El Camino CCD PD

The Compton Community College District Police Department is merging into the El Camino College Community College Police Department.

- B.6 Quarterly Progress Report on POST Strategic Plan Implementation

This is a status report on the POST Strategic Plan. This report is provided to the Commission following review by the Long Range Planning Committee and the Advisory Committee. The report summarizes the progress in researching and implementing the Strategic Plan since the last quarterly meeting.

Of the 36 objectives, staff is reporting that:

25 -- Are in progress of being researched and/or implemented  
2 -- Recommended for deletion  
9 -- Not addressed at this time  
36 -- Total

Two objectives (A.9 and B.6) are recommended for deletion (refer to the corresponding agenda items).

In approving the Consent Calendar, the Commission accepts the quarterly status report of the Strategic Plan and approves deletion of Strategic Plan Objectives A.9 *Establish Basic Academy Report Writing Resources* and B.6 *Study the Feasibility of Upgrading the Present POST Basic Course Certification Review Process*.

B.7 Report on Strategic Plan Objective A.1.02 Regarding Establishing Personality Assessment for Entry-Level Selection

This is a report on the status of Strategic Plan Objective A.1.02 regarding “establishing personality assessment for entry-level selection.”

Pursuant to Strategic Objective A.1.02, in April 2007, the Commission approved a project report resulting from a detailed study which concluded that certain personality traits have been shown to be job-related (i.e., to predict job performance, performance in training, and/or counterproductive behavior on the job). In accepting the report, the Commission directed that a resource guide be developed for agencies in the POST Program that wish to conduct pre-offer personality testing. The resource guide and a companion database of information on specific tests are in the final stages of development and will be presented for Commission approval at the April 2009 Commission meeting.

This item is presented for information only, and no action is required.

B.8 Report on Strategic Plan Objective A.09.08 Regarding Basic Academy Report Writing Resources

This report describes the recently-completed project for creating pre-academy report writing resources for entry-level peace officers. In January 2008, following extensive study, staff reported that while there was resistance to imposing any academy report writing standard, there was strong support for the development of pre-academy report writing resources. Accordingly, the Commission directed staff to compile such resources and provide them as guidance for presenters who wish to voluntarily implement pre-academy assessment and remediation report-writing programs. It is anticipated that providing direction and support for pre-academy assessment and remediation efforts will facilitate early detection and

intervention of report-writing deficiencies which will minimize academy failures related to report writing.

This item is completed and is recommended for deletion from the Strategic Plan.

B.9 Report on Strategic Plan Objective C.3 Regarding Development of a Plan to Address Law Enforcement Recruitment

This is an informational report on the status of Strategic Plan Objective C.3 regarding developing a comprehensive plan for POST's role in addressing law enforcement recruitment issues. During 2005-2006, POST conducted three recruitment conferences that addressed a universal challenge facing law enforcement agencies -- recruiting. Subsequent surveying reflected that recruitment and retention remained problematic within California law enforcement agencies, yet half of the agencies surveyed reported they budgeted no money for recruitment; only one-quarter had developed plans to address this situation. A final report was compiled which recommended agencies develop a written recruitment strategic plan.

To facilitate development of a strategic plan, an online survey has been created for distribution to law enforcement agencies. This survey was piloted via a Recruitment Advisory Committee. The results affirmed that recruitment is a continuing concern and indicated that many agencies have not yet developed a recruitment strategic plan. In light of this, staff has distributed an online survey to obtain information that can be used to develop a recruitment strategic planning resource for use by law enforcement agencies and dispatch centers.

This item is presented for information only, and no action is required.

B.10 Report on Strategic Plan Objective B.2 Regarding Establishing a Best Practices Database

Strategic Plan Objective B.2 requires staff to "establish a searchable database in order to share 'best practices' and successes in training that emanate from nominations for the POST Excellence in Training Award." To that end, staff carefully reviewed all nominations submitted during the years 2005-2007 and selected those topics which would be of greatest interest to law enforcement agencies. The respective nominees were contacted regarding their willingness and ability to participate in the database program. A majority responded affirmatively to share their best practice.

Subsequently, staff researched how these best practices could be made available in the most advantageous manner for law enforcement. It was determined that the ideal location would be within the Learning Portal on the POST Website under a specific identifiable section utilizing existing functionality. As such, this program

can be created without any additional expenditure. It is estimated that implementation of this database program will occur in spring 2009.

This item is presented for information only, and no action is required.

#### B.11 Resolutions

Resolutions will be presented to the following individuals:

- Patricia Cassidy, retired POST employee
- Anna DelPorto, retired POST employee
- Gregory L. Murphy, retired POST employee

### **BASIC TRAINING BUREAU**

#### C. Report on Proposed Changes to the *Training & Testing Specifications for Peace Officer Basic Courses*

As part of an ongoing review of Peace Officer Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review learning domain (LD) content to determine if revisions are necessary. The Training and Testing Specifications and supporting materials for the learning domains have been updated to reflect emerging training needs, compliance with legislatively-mandated subject matter, changes in the law, or to improve student learning and evaluation.

The proposed changes affect the following learning domains:

*LD 4, Victimology/Crisis Intervention*  
*LD 11, Juvenile Law & Procedures*  
*LD 13, ABC Law*  
*LD 16, Search & Seizure*  
*LD 19, Vehicle Operations*  
*LD 22, Vehicle Pullovers*  
*LD 25, Domestic Violence*  
*LD 28, Traffic Enforcement*  
*LD 29, Traffic Collision Investigation*  
*LD 30, Crime Scenes, Evidence, and Forensics*  
*LD 32, Lifetime Fitness*  
*LD 33, Arrest Methods/Defensive Tactics*  
*LD 34, First Aid/CPR*  
*LD 35, Firearms/Chemical Agents*

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes as described in the staff report. If no one requests a public hearing, the changes will become effective July 1, 2009.

D. Strategic Plan Objective B.6.08: Study the Feasibility of Upgrading the Present Basic Course Certification Review Process

The Basic Course Certification Review (BCCR) process has been upgraded and revised by a committee of subject matter experts consisting of academy directors and coordinators. The revised process focuses on existing POST regulations and directives. The BCCR process has been enhanced by the development of a comprehensive *Standards-Based Academy Review Evaluation Form* for use by academies and evaluators, the assignment of additional POST staff to the review team, and the inclusion of trained evaluators from academies to perform in-depth reviews of skills training and testing. Two other additions were made to the BCCR process: 1) The *Standards-Based Academy Review Manual*, which contains definitions of academy requirements and instructions for use of the evaluation form checklist; and 2) improved accountability procedures (with new deadlines) to ensure academies address the identified areas of non-compliance with POST regulations discovered during a BCCR.

Two pilot academy BCCR reviews using the enhanced format have been completed and evaluated by the committee. Two evaluator training workshops have also been presented. The revised process was presented to the Basic Course Consortium at the December 2008 meeting.

If the Commission concurs, the appropriate action would be a **MOTION** to delete Strategic Plan Objective B.6.08 as completed.

**STANDARDS AND EVALUATION BUREAU**

E. Revision to Peace Officer Selection Standards

The revision of *POST Selection Standards for Peace Officers* was first presented to the Commission in October 2007. At its April 2008 meeting, the Commission deferred the adoption of the proposed regulations to allow time to resolve the issue of the application of these standards to officers who are reinstated to their positions through a local administrative process or through litigation in state or federal court. In July, the Commission received legal advice and assurance that statutory authority exists for the Commission to enact and enforce regulations that prescribe the process by which a department will comply with the selection standards. The Commission subsequently directed staff to work with stakeholders to resolve this issue. To that end, three, one-day stakeholder meetings were convened. A draft resolution to this issue, based on these meetings, was submitted to the Advisory Committee for discussion and feedback at the October 22, 2008, meeting.

The final draft of the entire set of peace officer selection standards is provided, along with a summary of the proposed regulations.

If the Commission concurs, the appropriate action would be a **MOTION** to approve, subject to the rulemaking process, the proposed revisions to the peace officer selection standards.

F. Revision to Public Safety Dispatcher Selection Standards

The revision of POST Selection Standards for Public Safety Dispatchers was first presented to the Commission in October 2007. At its April 2008 meeting, the Commission deferred the adoption of the proposed regulations to allow time to resolve the issue of the application of these standards to peace officers who are reinstated to their positions through a local administrative process or through litigation in state or federal court. In July, the Commission directed staff to work with stakeholders to resolve this issue. A draft resolution to this issue was submitted to the Advisory Committee for discussion and feedback at its October 22, 2008, meeting. A provision addressing reinstated public safety dispatchers has been incorporated into these standards as well.

The final draft of the entire set of public safety dispatcher selection standards is provided, along with a summary of the proposed regulations.

If the Commission concurs, the appropriate action would be a **MOTION** to approve, subject to the rulemaking process, the proposed revisions to the public safety dispatcher selection standards.

**TRAINING PROGRAM SERVICES BUREAU**

G. Report on LEDS Revitalization

This is a report regarding the acquisition of driving simulators as approved by the Commission at its October 2008 meeting. POST had suspended efforts to repair and/or purchase LEDS equipment in 2007 until research could be conducted on the effectiveness of driving simulator training. The research was completed and the *Driver Training Study, Volume I* report delivered to the Commission at its October 2008 meeting. The research findings reflected a strong correlation between driving simulator training and reduction in traffic collisions for officers. Based on the research study and report, the Commission voted unanimously to move forward with the replacement of driving simulators.

Previously, the Commission and the Department of Finance authorized the continuous annual expenditure of \$2,050,000 to support the driving simulator training program. The plan has been, and continues to be, to finance the purchase of the simulators over five years.

Although the numbers and configurations may change before going out to bid, equipment acquisition is anticipated to entail:

- Twenty-one stationary sites with either four or eight student pods capable of training eight or sixteen students at one time.
- One mobile unit with four student pods capable of training eight students at one time.
- Four mobile units with two student pods capable of training four students at one time.

Based on current projected timelines, it is anticipated that all sites will be up and running with new equipment by April 2010. Since this will be a phased-in process, some sites could be fully operational as soon as May or June of 2009.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the plan for driving simulator acquisition and placement as detailed in the staff report.

H. Request to Contract for Further Data Analysis for the Driver Training Study

The initial report on driver training—*Driver Training Study Volume I*—has been completed and approved by the Commission. It contains a number of analyses assessing the effect of various methods/types of driver training on peace officer collision rates. These analyses were informative and assisted the Commission in allocating resources for driver training; however, several important areas of inquiry remain. Additional statistical analysis will provide more information about why some training methods/types are associated with better outcomes (i.e., fewer collisions). Additionally, further analysis will likely reveal differences among presenters of the same driver training course and lead to the identification of model programs.

Staff recommends contracting with a highly-qualified researcher/statistician with knowledge of criminal justice programs and law enforcement operations to complete additional analysis. The analysis will be conducted on POST training records in correlation with previously collected DMV collision data. The contract for analysis will be in an amount not to exceed \$23,000. Staff will develop parameters for this analysis in conjunction with the Vehicle Operations Training Advisory Council and other stakeholders.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to enter into a contract with an individual/entity to perform specified data analysis in an amount not to exceed \$23,000.  
**(ROLL CALL VOTE)**



I. Report on Strategic Plan Objective C.4 Regarding the Feasibility of Awarding College Credit for POST Training Courses

This is a report on staff's work and current plan regarding Strategic Plan Objective C.4 – Study the feasibility of awarding college credit for POST's select training courses (e.g., IDI, SBSLI, and Command College).

In consideration of previous experience with the concept, staff has explored direct and indirect means for college credit to be granted for POST courses. The following initial concerns which were most pertinent to POST when the concept was extensively reviewed in the mid-1990s remain relevant: 1) curriculum content, 2) method of presentation, and 3) control (i.e., POST's ability to effect a timely modification to curriculum after a college has accredited it).

Many POST students are pursuing undergraduate and graduate credit and degrees. In support of these goals, staff has compiled information from various colleges and universities that provide opportunities for POST students. Staff has organized these resources which will be hosted on the POST Website to make this information readily accessible. Whether or not staff is able to identify a viable direct means for college credit to be awarded for POST courses, this Web resource will facilitate students locating indirect credit. The actions being undertaken by POST staff conform with a previous recommendation made by the Commission.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the concepts detailed in the staff progress report on awarding college credit for POST training courses.

J. Report on Acceptance of Cal/EPA Grant

Penal Code Section 14314(a), the *Local Environmental Enforcement and Training Programs* statute, enables Cal/EPA to annually grant POST up to \$100,000 for the development of training on environmental crime for local and state peace officers.

In 2004, POST received a grant of \$35,151 from Cal/EPA from the Environmental Crimes and Training fund in furtherance of production of a video on environmental crimes awareness. For the past three fiscal years, POST has annually received \$100,000. The funding was applied toward expenses for staff and further development of training on environmental crime investigation. POST's allocation for FY 2008-09 was reduced to \$32,000 due to a funding shortfall experienced by Cal/EPA.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to: 1) accept up to \$100,000 of Cal/EPA grant funding for the 2009-10 Fiscal Year and 2) contract with an entity for continued

development and delivery of training related to environmental crimes and regulatory enforcement.

**(ROLL CALL VOTE)**

K. Contract Extension for Learning Portal Support and Maintenance

In January 2007, the Commission approved the current support and maintenance contract with Allen Communications Learning Services. The contract is due to end June 30, 2009. This request is to extend the contract to December 31, 2009. The extension would allow for future contract renewals to occur off the fiscal year cycle, thus avoiding complications due to state budget delays. The Department of General Services has recommended that in the future POST combine this contract with the existing hosting contract which ends December 31, 2009.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to extend the current support and maintenance contract with Allen Communications Learning Services to December 31, 2009, in an amount not to exceed \$12,000.

**(ROLL CALL VOTE)**

L. Proposed Regulation on SWAT Training Courses

AB 991 (Negrete McLeod - 2004) added Penal Code (PC) §13514.1, which directed POST to develop guidelines and standardized training recommendations for law enforcement officers, supervisors, and managers whose agency assigns them to perform, supervise, or manage Special Weapons and Tactics (SWAT) operations. The legislation/law required that the guidelines be made available by July 1, 2005, for law enforcement agencies that conduct SWAT operations.

PC §13514.1(c) required the standardized training recommendations to include initial training requirements for SWAT operations, refresher or advanced training for experienced SWAT members, and supervision and management of SWAT operations.

The *SWAT Operational Guidelines and Standardized Training Recommendations* were developed and presented to the Commission as an agenda item at its April 21, 2005, meeting, where they were unanimously approved. As required by law, these guidelines were made available for use by law enforcement agencies that conduct SWAT operations in July 2005.

However, the course curricula topics and training hours for the following SWAT training courses were not subsequently incorporated into regulation:

- (1) Special Weapons and Tactics Team Training, Basic Course
- (2) Special Weapons and Tactics Team Training Update

(3) Special Weapons and Tactics Team Training, Supervision and Management of SWAT Operations.

As a matter of practice, legislative training requirements are incorporated as regulations within the *POST Administrative Manual (PAM)*.

If the Commission concurs, the appropriate action would be a **MOTION** to revise/amend *PAM* Section 1081 pursuant to the rulemaking process and the Office of Administrative Law. If no one requests a public hearing, the amendments would become effective July 1, 2009.

M. Contract Modification for Management Fellow

The Training Program Services Bureau Management Fellow is assigned to monitor, assist, and develop programs for the VAWA grant, Cal/EPA grant, and the Museum of Tolerance. In the past, the funding for the Management Fellow has been shared with POST, the VAWA grant, and the Cal/EPA grant.

During October 2008, Cal/EPA informed POST that the anticipated FY 2008/09 allocation of \$100,000 grant funding had to be reduced to \$32,000. The Cal/EPA share of funding for the Management Fellow was to have been \$49,000, with the remaining \$51,000 going toward the contracted development of an online course on investigation of environmental crime. Given the two-thirds reduction in the allocation from Cal/EPA, there is nothing that can be applied to the funding of the Management Fellow. The online training course is already contracted and development is well underway; thus, the entire \$32,000 must be applied to the course.

If the Commission concurs, the appropriate action would be a **MOTION** to add to POST's subsidy for the Training Program Services Bureau Management Fellow during FY 2008/09 in the amount of \$49,000 to offset the Cal/EPA funding deficit. **(ROLL CALL VOTE)**

N. Report on Acceptance of Homeland Security Funds for State and National Delivery of Telecourses

Staff recommends that POST, in cooperation with the Governor's Office of Homeland Security, provide POST-developed telecourses via the Learning Portal in an amount not to exceed \$150,000. For the past eight years the Commission has developed terrorism training in the form of DVD-based programs that were distributed to the state's member agencies. Nationwide distribution has been limited by cost; although, Homeland Security ultimately paid for the programs. POST's curriculum development methodology, rapid distribution, subject relevancy, and award-winning quality now leave the Commission in possession of a substantial collection of Homeland Security-related telecourse programs.

The \$150,000 will be used to develop a state-of-the-art, video-on-demand Internet video player capable of interfacing with the POST Learning Portal. Development will include sample assessment mechanisms. The cost will include a facilitator's window for delivery of interactive classroom training sessions. The system will include a recordkeeping function.

If the Commission concurs, the appropriate action would be a **MOTION** to:

1) accept \$150,000 of AB 587 anti-terrorism training funds to facilitate the delivery of 12 Homeland Security telecourses via the California POST Learning Portal; and 2) authorize the Executive Director to augment an existing agreement with the University of California, Irvine to manage the terrorism telecourse delivery on behalf of POST, in an amount not to exceed \$150,000.

**(ROLL CALL VOTE)**

### **COMMITTEE REPORTS**

O. Long Range Planning Committee

Chair Deborah Linden will report on issues discussed at the Long Range Planning Committee meeting held on December 11, 2008, at POST, 1601 Alhambra Boulevard, Sacramento, CA 95816.

P. Finance Committee

Henry Perea, Chair of the Finance Committee, will report on the results of the Committee meeting held on Wednesday, January 21, 2009, in Sacramento.

Q. Advisory Committee

Nicki Woods, Chair of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on Wednesday, January 21, 2009, in Sacramento. She will also report on the results of the Advisory Committee awards review process that took place on Tuesday, January 20, 2009, in Sacramento and make recommendations to the Commission on behalf of the Advisory Committee regarding the nominees for the *POST Excellence in Training Award* and the *O.J. "Bud" Hawkins' Exceptional Service Award*.

R. Legislative Review Committee

Commissioner Lai Lai Bui, Chair of the Legislative Review Committee, will report on the results of the Legislative Review Committee meeting held on Thursday, January 22, 2009, in Sacramento.

S. Correspondence

Letter From Executive Director Cappitelli to:

- Sheriff John McGinness of the Sacramento County Sheriff's Department, expressing sympathy over the tragic, on-duty death of Deputy Lawrence Canfield.
- Sheriff Lee Baca of the Los Angeles County Sheriff's Department, expressing sympathy over the tragic, on-duty death of Deputy Randy Hamson.
- Commissioner Joseph A. Farrow of the California Highway Patrol expressing sympathy over the tragic, on-duty death of Officer Joseph Paul Sanders.

T. Old Business

- Gaming Project Contract Update

As a result of non-performance on the part of the vendor, the contract to develop assessment and remediation gaming software has been terminated. Prior to the contract termination, the vendor produced and was paid for several usable products including a project plan, detailed analysis report, goals and objectives, detailed interface options, and a partially-completed design document. POST is preparing a vendor solicitation to acquire a new vendor to finish the project using remaining funds.

U. New Business

- Action on recommendation by the Advisory Committee for the recipient of the 2008 *O.J. "Bud" Hawkins' Exceptional Service Award*.
- Action on recommendations by the Advisory Committee for the recipients of the 2008 *POST Excellence in Training Award*.
  - 1) Individual Achievement Recipient and Runner-up
  - 2) Organizational Achievement Recipient and Runner-up
  - 3) Lifetime Achievement Recipient and Runner-up

**NEXT LONG RANGE PLANNING COMMITTEE MEETING**

The next Long Range Planning Committee meeting will be held on Thursday, March 12, 2009, at POST, 1601 Alhambra Boulevard, Sacramento, CA 95816.

**FUTURE COMMISSION DATES**

April 23, 2009 - Courtyard Marriott, Sacramento  
July 23, 2009 - Courtyard Marriott, Sacramento  
October 22, 2009 - Courtyard Marriott, Sacramento

**CLOSED SESSION -**

Possible POST litigation.

**ADJOURNMENT -**